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ABSTRACT

This compilation of abstracts provides brief descriptions of the 74 new public laws relating to computers and information policy that were enacted during the 95th Congress. Each of these bills is concerned with information, although the diverse subject matter--e.g., energy and clean water, food and health, foreign investments, ethics in government--received attention from different committees of the House and Senate. These laws are listed in eight categories: (1) creating information inventories, programs, or clearinghouses; (2) providing for the dissemination of information; (3) creating news information systems or computerized data bases; (4) government records, documents, and paperwork; (5) library policies, procedures, and assistance; (6) information disclosures and confidentiality/right of privacy; and (7) other related information legislation. (Author/JEG)

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96th Congress
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INFORMATION POLICY: PUBLIC LAWS FROM THE 95TH CONGRESS

FOR THE

UNITED STATES HOUSE OF REPRESENTATIVES

JANUARY 31, 1979

COMMITTEE ON HOUSE ADMINISTRATION

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Congress of the United States

House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
SUITE H-326, U.S. CAPITOL
Washington, D.C. 20515

December 29, 1978

The Honorable Frank Thompson, Jr.
Chairman
Committee on House Administration
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to submit a compilation of abstracts of those public laws relating to computers and information policy that were enacted during the 95th Congress.

During the past two years, the Policy Group on Information and Computers has issued a monthly newsletter, Information on Information, informing Members of the House and their staffs of the automated services which are available to help them do a better job and of new developments in the field of information policy. This compilation of abstracts dramatically illustrates the continuing impact of the new technology of the nation's law. I hope that our colleagues will find it informative.

With best wishes.

Sincerely,

Charlie Rose

Charlie Rose, Chairman
Policy Group on Information
and Computers

CR/ngc

INFORMATION ON INFORMATION

A publication of the
Policy Group on Information and Computers
Committee on House Administration
United States House of Representatives

Information Policy: Public Laws From the 95th Congress

The gathering and distribution of information affects all our lives; yet information policy is still an unknown factor in much of the legislative process.

In spite of this, more and more bills are being introduced and more and more laws are being enacted which contain—in whole or in part—mandates for new computer systems or data bases, directives for collecting or disseminating information, calls for the introduction of new telecommunications systems, provisions for protecting rights of privacy and other information-related matters.

At the request of the Policy Group on Information and Computers, the Congressional Research Service made on-line searches of its Legislative Information File to identify the new information laws enacted during the 95th Congress. During 1977–78 more than 1,500 such measures were introduced in the House and Senate; 74 became law.

These new statutes are concerned with subjects ranging from energy and clean water to food and health to foreign investments and ethics in government. The diverse subject matter received attention from different committees of the House and Senate, yet each of the bills shared a common information theme.

The new technology gives us the opportunity to make better use of information to improve the quality of life and the quality of government. Whether we take advantage of this opportunity is a question that has not yet been answered.

Charlie Rose.

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The information-related public laws enacted during the 95th Congress have been divided into eight categories which serve as chapter headings: Page

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The Policy Group on Information and Computers would like to thank Jean-Paul Emard, Science Policy Division, Congressional Research Service, for his assistance in preparing this document.

I. CREATING INFORMATION INVENTORIES, PROGRAMS, OR CLEARINGHOUSES

- **Public Law 95–39** (June 3, 1977) Mr. Jackson: "Energy Research and Development Administration Appropriations and Amendments."

Title I.—Establishes a program of small grants not to exceed $50,000 for the dissemination of information with respect to energy-conserving technologies.

Title III.—Requires officers or employees of the Energy Research and Development Administration involved in administering programs authorized by this act to disclose all known financial interests in energy-related businesses. Imposes criminal penalties for knowing violations of such disclosure requirements.

Title V.—National Energy Extension Service Act—Directs the Administrator of the Energy Research and Development Administration (now a part of the Department of Energy) to develop a comprehensive program and plan for coordination of Federal energy education and information dissemination programs.

- **Public Law 95–87** (Aug. 3, 1977) Mr. Udall, et al.: "Surface Mining Control and Reclamation Act."

Title VII.—Authorizes the Secretary of the Interior to provide technical assistance and training, and assistance in preparing and maintaining a continuing inventory of information on surface coal mining and reclamation projects.

- **Public Law 95–217** (Dec. 17, 1977) Mr. Roberts, et al.: "Clean Water Act."

Authorizes the Secretary of Interior the appropriation of $6 million to complete the National Wetland inventory by December 31, 1978, and to make information from such survey available to assist in the development of such plans.

- **Public Law 95–344** (Aug. 15, 1978) Mr. Levitas, et al.: "Expanding outdoor recreational activities through the expansion of the national park system."

Title III.—Directs the Secretary of the Interior to establish information programs to inform the public of available park access to opportunities.

- **Public Law 95–367** "National Climate Program Act."—See section II.

- **Public Law 95–381** (Sept. 22, 1978) Mr. Inouye, et al.: "International Investment Survey Act of 1976 Amendments."

Amends the original Act to change to October 11, 1979 the date that the President is to submit the final report on the findings on the feasibility of a system to monitor foreign direct investment in rural and urban property and a nationwide land data system. An interim report must be submitted no later than October 11, 1978.

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- **Public Law 95–444** (Oct. 10, 1978) Mr. Bayh, et al.: "Civil Rights Commission Act."

Amends the Civil Rights Act of 1957 to require the Civil Rights Commission to: (1) study age and handicap discrimination; (2) review related Federal law and policies; [and] (3) serve as a clearinghouse for information regarding such discrimination.

- **Public Law 95–478** (Oct. 18, 1978) Mr. Brademas, et al.: "Comprehensive Older Americans Act Amendments."

Title I.—Requires the National Information and Resource Clearinghouse for the Aging to collect information on transportation services for older persons provided by Federal, State, and local public agencies. Authorizes the Commissioner on Aging to carry out a program for making grants to States for health, continuing education, welfare, informational, recreational, homemaker, counseling, or referral services.

- **Public Law 95–491** (Oct. 20, 1978) Mr. Chiles, et al.: "Federal Information Centers Act."

Amends the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to establish within the General Services Administration a nationwide network of Federal information centers for the purpose of informing the public of programs and procedures of the Federal Government and for other appropriate and related purposes.

- **Public Law 95–561** "Education Amendments of 1978".—See section II.

- **Public Law 95–592** (Nov. 4, 1978) Mr. Domenici: "Native Latex Commercialization and Economic Development Act."

Requires the Secretary of Agriculture and the Secretary of Commerce to maintain a bank of research data on native latex.

- **Public Law 95–599** (Nov. 6, 1978) Mr. Howard, et al.: "Federal-Aid Highway Act."

Title II.—Authorizes appropriations for fiscal years 1978 through 1982 to the Secretary of Transportation for the acquisition, storage, and retrieval of highway accident data and for establishing procedures for reporting accidents on a nationwide basis. Requires the Secretary to study and report to Congress with recommendations regarding the need for a national driver register to assist States in electronically exchanging information about certain individual's driving records.

Title III.—Requires the Secretary to study and report to Congress regarding the development of a reporting system to accumulate public mass transportation systems information by July 1, 1979.

- **Public Law 95–602** (Nov. 6, 1978) Mr. Brademas, et al.: "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments."

Title I requires that State plans for basic vocational services provide for the establishment and maintenance of information and referral programs so that the handicapped will be aware of the various Federal and State programs which will benefit them. Allows State vocational rehabilitation services to include: (1) the use of existing telecommunications systems which have the potential for improving

service delivery methods; and (2) the use of services providing recorded material for the blind and captioned material for the deaf. Estabiishes a National Institute of Handicapped research within the Department of Health, Education, and Welfare to be responsible for: (1) administering existing programs of rehabilitation research and the Helen Keller National Center for Deaf-Blind Youths and Adults; (2) disseminating information to public and private organizations; and (3) conducting educational, training and informational programs. Authorizes the institute also to make grants for additional projects, including the use of existing telecommunications systems which have the potential for substantially improving delivery methods, research relating to the rehabilitation of handicapped children and individuals aged 60 or older, and certain model research and demonstration projects. Authorizes the Secretary of Health, Education, and Welfare to provide technical assistance to: (1) rehabilitation facilities; and (2) nonprofit groups for the removal of architectural, transportation, and communication barriers. Authorizes the Secretary of Health, Education, and Welfare to establish a central clearinghouse for information and resources availability for handicapped individuals which shall provide information and data regarding: (1) the location, provision, and availability of services and programs for handicapped individuals; (2) research and recent medical and scientific developments bearing on handicapping conditions; and (3) the current numbers of handicapped individuals.

II. PROVIDING FOR THE DISSEMINATION OF INFORMATION

- **Public Law 95–52** (June 22, 1977) Mr. Zablocki, et al.: "Export Administration Amendments."

Title I.—Requires the Secretary of Commerce to report to Congress on the impact on national security of the transfer of technical data to controlled countries.

- **Public Law 95–113** (Sept. 29, 1977) Mr. Talmadge, et al.: "Food and Agriculture Act."

Title X.—Provides that when the Secretary of Agriculture requires exporters to report sales of commodities daily, such information shall be made available to the public on a daily basis.

- **Public Law 95–166** (Nov. 10, 1977) Mr. Perkins: "National School Lunch Act and Child Nutrition Amendments."

Authorizes the Secretary of Agriculture to create a program to provide for nutritional training of educational and food service personnel and to disseminate sound nutritional information to children. Directs the Secretary to reduce the paperwork required of participating States, educational agencies, and schools.

- **Public Law 95–208** (Dec. 12, 1977) Mr. Murphy of New York, et al.: "International Safe Container Act."

Directs the Secretary of Transportation to prescribe regulations regarding a method for developing, collecting, and disseminating data concerning container safety and the international transport of containers.

- **Public Law 95–238** (Feb. 25, 1978) Mr. Jackson: "Department of Energy Act."

Directs the Secretary of Energy to collect, analyze, and disseminate to developers information, data and materials that may be relevant to the development of advanced automobile technology.

- **Public Law 95–267** (Sept. 17, 1978) Mr. Brown of California, et al.: "National Climate Program Act."

Establishes a national climate program that will include: (1) global data collection and climate monitoring and analysis activities to provide reliable, useful, and available information on a continuing basis; (2) systems for the management and active dissemination of climatological data and information; and (3) measures for increasing international cooperation in climate research, monitoring, analysis, and data dissemination. Directs the Secretary of Commerce to establish a program for Federal and State cooperative activities in climate research and advisory services and that such intergovernmental programs include: (1) analytical studies and data collection and monitoring on a statewide and regional basis; and (2) advisory services designed to provide research results and climatic data and information

to States, local government agencies, and individuals concerned with agricultural production, water resources, energy needs, and other climate-related issues.

- **Public Law 95–273** (May 8, 1978) Mr. Magnuson: "Ocean Pollution Research and Monitoring Program Act."

Provides that the Administrator of the National Oceanic and Atmospheric Administration shall insure that results, findings, and information concerning Federal programs relating to ocean pollution research and monitoring shall be disseminated in a timely manner and in useful forms to interested parties.

- **Public Law 95–307** (June 30, 1978) Mr. Weaver, et al.: "Forest and Rangeland Renewable Resources Research Act."

Establishes a program of investigations, experiments, tests, and other activities necessary to obtain, analyze, demonstrate, and disseminate scientific information about protecting, managing, and utilizing forest and rangeland renewable resources in rural, surburban, and urban areas.

- **Public Law 95–372** (Sept. 18, 1978) Mr. Jackson, et al.: "Outer Continental Shelf Lands Act Amendments."

Title II.—Sets up an Outer Continental Shelf oil and gas information program under which lessees and permittees exploring, developing, or producing oil and gas shall provide the Secretary of the Interior access to all data obtained from such activities and provides for the dissemination of such data, including indexes and summaries of programs to affected States.

- **Public Law 95–428** (Oct. 7, 1978) Mr. Murphy of New York, et al.: "Improving the Operations of the National Sea Grant Program."

Amends the Sea Grant Program Improvement Act of 1976 to promote the exchange among the United States and foreign nations of information on the assessment, development, utilization, and conservation of marine resources.

- **Public Law 95–561** (Oct. 7, 1978) Mr. Perkins: "Education Amendments of 1978."

Title II.—Authorizes the Secretary of Health, Education, and Welfare to: (1) provide assistance designed to demonstrate improved delivery of instructional services in the areas of reading, mathematics, and oral and written communication; (2) provide financial and technical assistance to State programs to improve achievement in basic skills; (3) support development and demonstration activities related to the improved use of television and other technology; (4) collect and analyze information relating to basic skills programs.

Title III.—Authorizes the Commissioner of Education to carry out special projects to experiment with new education and administrative methods, techniques, and practices: to meet special or unique educational needs or problems; to place special emphasis on national priorities; and to disseminate information to State and local educational agencies. Authorizes the Commissioner to carry out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private agencies, organizations, and institutions (including libraries and museums) to support research, demonstration, and pilot projects designed to educate the public on

the problems of environmental quality and ecological balance, except that no grant may be made other than to a nonprofit agency, organization, or institution.

Title VIII.—Directs the Commissioner of Education to establish or designate a clearinghouse to gather and disseminate information received from community education programs, including but not limited to, information regarding new programs, methods to encourage community participation, methods of formulating and conducting needs assessments, and the ways of coordinating community education programs with other community services. The Commissioner is authorized to contract with public and private organizations to establish and operate the clearinghouse.

Title XI.—regarding Indian educational rights—Requires the Secretary of Health, Education, and Welfare to establish a computerized information system storing such information as: (1) student enrollment; (2) curriculum; (3) staff; and (4) student assessment for the purpose of coordinating such information between agency and area offices and the Office. Establishes a Federal Education Data Acquisition Council to represent the public and agencies which collect and use education data. The Council is authorized to develop procedures for paperwork control so that the Secretary may advise heads of relevant agencies when a proposed collection of information and data acquisition activities are excessive in detail, unnecessary, redundant, ineffective, or costly. The Secretary is directed to assist each Federal agency in performing the review and evaluation and to require of each agency a plan for each collection of information and data acquisition activity.

- **Public Law 95–590** (Nov. 4, 1978) Mr. McCormack, et al.: "Solar Photovoltaic Energy Research, Development, and Demonstration Act."

Requires the Secretary of Energy to disseminate full and complete information with respect to demonstrations to promote practical use of solar voltaic technologies, but exempts trade secrets and other proprietary information from such public disclosure.

- **Public Law 95–591** "Presidential Records Act."—See section V.
- **Public Law 95–602** "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments"—See section I.
- **Public Law 95–604** (Nov. 8, 1978) Mr. Udall, et al.: "Uranium Mill Trailings Radiation Control Act."

Directs the National Regulator Commission, in cooperation with the Secretary of Energy, to ensure that any relevant information, other than trade secrets and other proprietary information otherwise exempted from mandatory disclosure under any other provision of law, obtained from the conduct of each of the remedial actions authorized by this Title and the subsequent perpetual care of those residual radioactive materials is documented systematically, and made publicly available conveniently for use.

III. CREATING NEW INFORMATION SYSTEMS OR COMPUTERIZED DATA BASES

- **Public Law 95–40** (June 3, 1977) Mr. Perkins, et al.: "Vocational Education Act of 1963 Amendments."

Delays the implementation dates for the national vocational education reporting system and the occupational information data system for 1 year.

- **Public Law 95–220** (Dec. 28, 1978) Mr. Kennedy, et al.: "Federal Program Information Act."

Requires the Director of the Office of Management and Budget to establish and maintain a computerized program information system which is capable of identifying all existing Federal domestic assistance programs. Specifies the required contents of the Federal Assistance Information Data Base, including the identity, description, and eligibility requirements of each such assistance program. Requires the Director of the Center to publish an annual catalog containing all information of Federal domestic assistance programs that is in the data base of the system. States that information in such data base and the catalog prepared pursuant to this Act shall be made available to the public at a reasonable price. Requires the Director of OMB to conduct a study of existing Federal information programs that provide fiscal and program-related statistics on grant funds and make recommendations to the Congress within one year for the appropriate dissemination of Federal financial information.

- **Public Law 95–266** (Apr. 24, 1978) Mr. Brademas, et al : "Child Abuse Prevention and Treatment and Adoption Reform Act."

Title I.—Amends the Child Abuse Prevention and Treatment Act to provide for the dissemination of annual summaries of research on child abuse and neglect, and training materials in the prevention, identification, and treatment of child abuse and neglect.

Title II.—Makes it the purpose of this Act to facilitate the elimination of obstacles to adoption and facilitate the placement of children in permanent loving home environments by providing for a national adoption information exchange system under the Department of Health, Education, and Welfare. Directs the Secretary of Health, Education, and Welfare to establish within the Department an administrative arrangement in order to: (1) establish a national adoption data gathering system; (2) conduct a continuing adoption education program, including the making of grants, and the publishing of materials regarding adoption and adoption assistance programs; and (3) provide for the operation of a national adoption information exchange system, and the coordination of such a system with similar State and regional systems.

- **Public Law 95–292** (June 13, 1978) Mr. Rostenkowski, et al.: "Social Security Act Amendments."

Directs the Secretary of Health, Education, and Welfare to establish renal disease network areas, including a coordinating council, an executive committee of such a council and a medical review board for each area, and a national end stage renal disease medical information system, in order to assure effective and efficient administration of the benefits provided under this Act. Directs the Secretary to provide regulations for the coordination of network planning and quality assurance activities, and the exchange of data and information among agencies with responsibilities for health planning and quality assurance activities under Federal law.

- **Public Law 95–474** (Oct. 17, 1978) Mr. Magnuson, et al.: "Port and Tanker Safety Act."

Sets forth a marine safety information system with regard to vessels subject to this Act which operate in the navigable waters of the United States or which transfer oil or hazardous materials in a United States jurisdiction.

- **Public Law 95–523** (Oct. 27, 1978) Mr. Hawkins, et al.: "Full Employment and Balanced Growth Act."

Title I.—Directs the President to initiate specific policies to reduce the rate of inflation and that structural policies may include the creation of an effective information system to monitor and analyze inflationary trends in individual economic sectors.

- **Public Law 95–524** (Oct. 27, 1978) Mr. Nelson, et al.: "Comprehensive Employment and Training Act Amendments."

Title III.—Requires the Secretary of Labor to develop a comprehensive system of labor market information and certain additional methods and data and directs the Secretary to establish and carry out a computerized job bank for the purpose of increasing job opportunities and achieving job referrals and placements.

- **Public Law 95–561** "Education Amendments of 1978."—See section II.

- **Public Law 95–623** (Nov. 9, 1978) Mr. Kennedy, et al.: "Health Services Research, Health Statistics, and Health Care Technology Act."

Requires the Secretary of Health, Education, and Welfare, acting through the National Center for Health Services Research, to support research, evaluation, and demonstration projects respecting the uses of computer science in health services delivery and medical information systems. Establishes the Cooperative Health Statistics System to produce comparable and uniform health information and statistics. Requires that the Secretary coordinate the health statistical and epidemiological activities of HEW by establishing standardized means for the collection of health information and statistics. Establishes guidelines for the collection, compilation, analysis, publication, and distribution of statistics and information necessary for determining the effects and conditions of employment and indoor and outdoor environmental conditions on the public health.

IV. PERTAINING TO TELECOMMUNICATIONS, BROADCASTING, AND SATELLITE TRANSMISSIONS

- **Public Law 95–76** (July 30, 1977) Mr. Teague (by request): "National Aeronautics and Space Administration Authorization Act."

Authorizes the National Aeronautics and Space Administration, when so provided in appropriation acts, to enter into and to maintain a contract for tracking and data relay satellite services.

- **Public Law 95–105** (Aug. 17, 1977) Mr. Fascell, et al.: "Foreign Relations Authorization Act, for Fiscal Year 1978."

Title V.—Directs the President to prepare and submit to Congress a report containing recommendations for reorganizing the international information, education, cultural, and broadcasting activities of the U.S. Government.

- **Public Law 95–234** (Feb. 21, 1978) Mr. Wirth, et al.: "Communications Act Amendments."

Amends the Communications Act of 1934 to increase from $1,000 to $2,000 the maximum amount of a forfeiture penalty which may be assessed by the Federal Communications Commission in addition to any other penalty provided for by such Act against any person violating the terms of any license, permit certificate, or other authorization for the assessment of a forfeiture penalty against any person violating the rules governing radio stations operating in common carrier, safety, and special radio fields. Act revises the limitations on the jurisdiction of the Commission over connecting communications common carriers. Act defines the term "just and reasonable rate" by describing a range within which a reasonable and just cable television (CATV) pole attachment must fall.

- **Public Law 95–391** (Sept. 30, 1978) Mr. Shipley: "Legislative Branch Appropriations Act."

Title III.—Prohibits the use of funds to implement a system for televising and broadcasting the proceedings of the House under which the TV cameras purchased by the House are controlled and operated by persons not in the employ of the House.

- **Public Law 95–426** (Oct. 7, 1978) Mr. Fascell, et al.: "Foreign Relations Authorization Act, Fiscal Year 1979."

Title V.—Makes findings that: (1) the consequence of modern scientific and technological advances are of major significance in U.S. foreign policy; and (2) many opportunities for development in diplomacy lie in scientific and technological fields. Declares it to be the policy of the United States to maximize the benefits and to minimize the adverse consequences of science and technology in the conduct of foreign relations. Sets forth responsibilities of the President and the Secretary of State in order to achieve this policy goal, including: (1) an annual report submitted by the President to Congress; and (2) requiring the Secretary, who is directed to have primary responsibil-

ity with respect to all science and technology agreements and activities between the United States and foreign governments, to make grants and other measures to achieve the policy goal.

Title VI.—Makes congressional findings and requires reports to be filed that include international communications policy and declares it the sense of Congress that the President should report to Congress on procedures to coordinate U.S. policy on communications in the world.

- **Public Law 95–564** (Nov. 1, 1978) Mr. Staggers, et al.: "International Maritime Satellite Telecommunications Act."

Amends the Communications Satellite Act of 1962 to provide for U.S. participation in the International Maritime Satellite Organization (Inmarsat). Designates the Communications Satellite Corporation (Comsat) as the sole operating entity in the United States for participation in Inmarsat, for the purpose of providing international maritime satellite telecommunications services. Authorizes Comsat to own and operate satellite earth terminal stations in the United States. Requires Comsat to interconnect such stations and their maritime satellite telecommunications with the facilities and services of U.S. domestic common carriers, international common carriers, and private communications systems, as authorized by the Federal Communications Commission (FCC). Authorizes Comsat to establish, own, and operate the U.S. share of the jointly owned international space segment and associated ancillary facilities.

Allows any person, including the Government, to own and/or operate, a satellite earth terminal station used exclusively for: (1) training personnel for station operation or maintenance; or (2) experimentation relating to maritime satellite telecommunications services. Requires that such satellite earth terminal station be authorized by the appropriate executive department in the case of the Government, or by the FCC in all other cases. Stipulates that the FCC may authorize ownership of satellite earth terminal stations by persons other than Comsat at any time the FCC determines that such additional ownership will enhance the provision of maritime satellite services in the public interest.

Directs the FCC to determine the operational arrangements under which Comsat will interconnect its satellite terminal stations with U.S. domestic common carriers, international common carriers, and private communications systems.

Requires the Secretary of Commerce to: (1) coordinate the activities of governmental agencies other than the FCC with responsibilities in the telecommunications field; (2) insure the availability and utilization of the telecommunications services provided Inmarsat for general governmental purposes except when a separate telecommunications system is required to meet unique governmental needs or is otherwise in the national interest; (3) seek to obtain coordinated and efficient use of the electromagnetic spectrum and orbital space; (4) insure technical compatibility of the space segment with existing communications facilities in the United States and in foreign countries; and (5) determine the interests and needs of the ultimate users of the maritime satellites telecommunications system.

Directs the FCC to grant authorizations to enable Comsat to: (1) provide to the public through interconnecting carriers space segment channels of communication obtained from Inmarsat or such similar

organizations; and (2) construct and operate the satellite earth terminal stations in the U.S. Requires the FCC to: (1) establish procedures for the continuing review of Comsat's telecommunications activities as the U.S. signatory to the operating agreement; and (2) prescribe rules necessary to carry out this Act. Directs the FCC to conduct a study of Comsat to determine whether any changes in corporate structure and operating activities are necessary to carry out its functions under this Act and the Communications Act of 1934. Directs the FCC to conduct a study of public maritime coast station services, particularly high seas services, to determine whether FCC rules and regulations need to be changed to provide modern and effective maritime telecommunications services.

Provides that the President, with affected Government agencies, shall study all Government radio navigation systems, to develop a plan to reduce the proliferation and overlap of such systems. Directs the President to report to Congress within 12 months on such findings and conclusions, Presidential actions taken, and recommendations for legislative or other appropriate action to implement a Government-wide radio navigation plan.

- **Public Law 95–567** (Nov. 2, 1978) Mr. Van Deerlin, et al.: "Public Telecommunications Financing Act."

Title I.—Amends the Communications Act of 1934 to establish new procedures for the planning and construction of public telecommunications facilities. Sets forth new requirements for the application to the Corporation for Public Broadcasting for construction grants. Requires the Secretary of Commerce to develop a long-range plan to: (1) extend delivery of noncommercial, educational, and cultural radio and television programs to as many citizens of the U.S. as possible; (2) increase such noncommercial programs and facilities available to and owned by minorities and women; and (3) strengthen the capability of existing public television and radio stations to provide such noncommercial, educational, and cultural services to the public.

Title II.—Authorizes the appropriation of $1 million annually through fiscal year 1981 to be available to the Secretary of Health, Education, and Welfare for disbursement as grants for demonstration projects in the improvement of public telecommunications services.

Title III.—Requires the Corporation to create and update annually a five-year plan for the development of public television and radio services. Directs the Corporation to establish an annual budget according to which it shall make grants and contracts for production of public television or radio programs by independent production entities and public telecommunications entities, for acquisition of such programs by telecommunications entities, for interconnection facilities and operations for distribution of funds among noncommercial telecommunications entities, for provision of assistance to public telecommunications entities to improve management and train personnel, and for engineering and program-related research.

Title IV.—Requires the National Telecommunications and Information Administration to make an annual report to Congress on the activities of the Administration with respect to: (1) domestic communications; (2) international communications; (3) Government communications; and (4) spectrum plans and policies.

- **Public Law 95–602** "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments"—See section I.

V. PERTAINING TO GOVERNMENT RECORDS, DOCUMENTS, AND PAPERWORK

- **Public Law 95–155** "National School Lunch Act and Child Nutrition Amendments"—See section II.
- **Public Law 95–261** "Designating accredited law schools as depository libraries"—See section VI.
- **Public Law 95–315** (July 4, 1978) Mr. Bedell, et al.: "Small Business Energy Loan Act."

States that it is the intent of Congress that the paperwork burden and regulatory impact on applicants shall be minimized to the maximum extent practicable.

- **Public Law 95–416** (Oct. 5, 1978) Mr. Percy: "Acceptance and use of Federal records transferred to the General Services Administration."

Shortens from 50 to 30 years the length of time Federal agency records must be in existence before they may be accepted by the Administrator of General Services for transmittal to the National Archives.

- **Public Law 95–557** (Oct. 31, 1978) Mr. Proxmire: "Housing and Community Development Amendments."

Title IX.—Requires the President to establish an Interagency Task Force composed of such housing and housing finance agencies, under the direction of the Office of Management and Budget, to implement the paperwork and regulatory cost reduction recommendations made by the Commission on Federal Paperwork.

- **Public Law 95–561** "Education Amendments of 1978."—See section II.
- **Public Law 95–591** (Nov. 4, 1978) Mr. Preyer, et al.: "Presidential Records Act."

States that the United States shall reserve and retain complete ownership, possession, and control of all Presidential records. Requires the President to assure that the performance of official Presidential duties is adequately documented and that documentary materials be appropriately maintained. Permits the President to dispose only of such records which have no administrative, historical, informational, or evidentiary value if the President obtains the views, in writing, of the Archivist of the United States concerning the proposed disposal schedule of such records and the Archivist states that he does not intend to take action under the provisions of this act.

Requires the Archivist to assume custody, control, and preservation of and access to the records of a President upon the conclusion of the President's term of office, making such records available to the public as rapidly and completely as possible. Requires the Archivist

to place such records in a Presidential archival depository or another facility operated by the United States. Authorizes the Archivist to designate, after consultation with the President, a director for each depository or facility.

Permits restrictions on access to Presidential records for up to 12 years if such documents have been validly classified as secret, relate to a Federal appointment, certain trade secrets or other commercial information obtained under privileged circumstances, consist of confidential communications requesting or submitting advise between the President and his advisors, between advisors, or contain personal information, disclosure of which would constitute an unwarranted invasion of privacy. Establishes limits on the duration of the restriction of disclosure of Presidential records.

- **Public Law 95–631** (Nov. 10, 1978) Mr. Ford, et al.: "Consumer Product Safety and Amendments."

Requires the Product Safety Commission to conduct a study of the rules which the Commission has issued and report to Congress within 18 months of such study. Specifies the material to be covered by such study, including the economic, paperwork, and judicial impact of each rule.

VI. PROVIDING FOR LIBRARY POLICIES, PROCEDURES, AND ASSISTANCE

- **Public Law 95–34** (May 26, 1977) Mr. Brooks, et al.: "Authorizing the acceptance of land, buildings, and equipment for the John F. Kennedy Library."

Authorizes the Administrator of General Services to accept land, buildings, and equipment, without reimbursement, for the John Fitzgerald Kennedy Library in Boston, Mass., as part of the National Archives System.

- **Public Law 95–83** (Aug. 1, 1977) Mr. Rodgers, et al.: "Authorizing appropriations for fiscal year 1978 for biomedical research and related programs."

Title II.—Amends the Public Health Service Act to extend through fiscal year 1978 the assistance programs for medical libraries.

- **Public Law 95–112** (Sept. 24, 1977) Mr. Pell: "Extending certain programs under the Elementary and Secondary Education Act of 1965."

Amends the Elementary and Secondary Education Act of 1965 to extend the payment by the Commissioner of Education of the costs involved in provisioning a State with such library resource materials in a State which has no money to provide such materials and extend appropriations authorized for additional funds to States for library resources and supplementary educational centers and services.

- **Public Law 95–123** (Oct. 7, 1977) Mr. Pell, et al.: "Library Services and Construction Act Amendments."

Amends the Library Services and Construction Act to authorize the appropriation of funds through fiscal year 1982 for the purpose of making grants to States for: (1) library services; (2) the construction of public libraries; (3) the carrying out of library programs for older people; and (4) the carrying out of interlibrary cooperation programs. Requires any State expending Federal funds received under such Act for the administrative costs of such programs to match the amounts expended with non-Federal funds. Provides for the funding of major urban resource libraries. Authorizes the use of funds appropriated for library construction for remodeling to remove architectural barriers, and for remodeling designed to conserve energy in the operation of public libraries.

- **Public Law 95–129** (Oct. 13, 1977) Mr. Cannon: "Establishing a Center for the Book."

Establishes in the Library of Congress a Center for the Book to be under the direction of the Librarian of Congress. Requires the Librarian to stimulate public interest and research in the role of the book in the diffusion of knowledge through a visiting scholar program, lectures, exhibits, and related activities.

- **Public Law 95–261** (Apr. 17, 1978) Mr. Nedzi, et al.: "Providing for additional Federal depository libraries."

Designates the library of any accredited law school as a depository library of Government publications upon the request of such law school to the Public Printer.

VII. PERTAINING TO INFORMATION DISCLOSURE AND CONFIDENTIALITY/RIGHT OF PRIVACY

- **Public Law 95–39** "Energy Research and Development Administration Appropriations and Amendments"—See section I.
- **Public Law 95–78** (July 30, 1977) Mr. Mann, et al.: "Amendments to the Federal Rules of Criminal Procedures."

Amends rule 6(e) of the Federal Rules of Criminal Procedure to state that a juror, Government attorney, interpreter, stenographer, recording device operator, or certain other Government personnel may not disclose matters occurring before the grand jury except as otherwise provided in the rules. Stipulates that a knowing violation of such rule may be punished as a contempt of court. Allows disclosure of matters occurring before a grand jury (other than deliberations and votes) to Government personnel who assist attorneys for the Government where their expertise is required. Requires that the names of such personnel be promptly provided to the district court. Permits disclosure as directed by a court preliminary to or in connection with a judicial proceeding or at the request of the defendant, upon a showing that grounds may exist for dismissing the indictment because of matters occurring before the grand jury.

- **Public Law 95–91** (Aug. 4, 1978) Mr. Ribicoff, et al.: "Department of Energy Organization Act."

Title IV.—Prohibits supervising employees from holding interest in energy companies. Authorizes the Secretary of the Department of Energy to grant waivers from such prohibition in case of exceptional hardship. Requires disclosure of known financial interest by officers and employees of the Department, subject to criminal sanctions.

- **Public Law 95–95** (Aug. 7, 1977) Mr. Rogers, et al.: "Clean Air Act Amendments."

Title III.—Imposes certain financial disclosure requirements upon: (1) employees of the Environmental Protection Agency; (2) members of the National Commission on Air Quality; (3) members of the Scientific Review Committee on Ambient Air Quality; (4) persons with a financial interest in any person subject to the Act; and (5) persons with a financial interest in any person receiving or applying for any form of financial assistance under the act. Prohibits certain persons with possible conflicts of interest from serving as an office of employee of EPA.

- **Public Law 95–115** (Oct. 3, 1977) Mr. Andrews of North Carolina,: "Juvenile Justice Amendments."

Deletes from the list of advance technique programs language regarding drug and alcohol abuse programs, and substitutes programs aimed at protecting youth rights. Authorizes the Administrator of the Office of Juvenile Justice and Delinquency Prevention to make grants and enter into contracts with public and private agencies and organizations to develop programs aimed at improving services for and protecting the rights of youth impacted by the juvenile justice system.

- **Public Law 95–121** (Oct. 6, 1977) Mr. Moorhead of Pennsylvania, et al.: "Amendments to the Council on Wage and Price Stability Act."

Stipulates that information voluntarily submitted to the Council on Wage and Price Stability is protected by the confidentiality procedures under the act.

- **Public Law 95–125** (Oct. 7, 1977) Mr. Metcalf: "Auditing of the Internal Revenue Service and the Bureau of Alcohol, Tobacco, and Firearms."

Provides the Comptroller General with access to tax returns for conducting audits of the Internal Revenue Service and the Bureau of Alcohol, Tobacco, and Firearms but requires that no employee or officer of the General Accounting Office may divulge or make known in any manner to any person not a proper employee of such office any tax return information in a form which can be identified with a particular taxpayer. Requires the Comptroller General to report annually to Congress with respect to procedures and requirements which he has established with the subjects of his audits for protecting the confidentiality of tax returns and tax return information and any findings or recommendations developed by the Comptroller General including any significant evidence of inefficiency or mismanagement.

- **Public Law 95–142** (Oct. 25, 1977) Mr. Rostenkowski, et al.: "Medicare-Medicaid Anti-Fraud and Abuse Amendments."

Requires that intermediate care facilities receiving payments under the grants to States for medical assistance programs comply with the disclosure requirements provided in this act. Requires an entity that furnishes items or services under a State plan for medical assistance to supply upon request by the Secretary of Health, Education, and Welfare: (1) complete information about the ownership of a subcontractor with whom the entity has done business totalling more than $25,000 during the previous year; and (2) complete information on any significant business transactions occuring between the entity and any wholly owned supplier or between the entity and any subcontractor during the five year period previous to such request.

- **Public Law 95–213** (Dec. 9, 1977) Mr. Proxmire, et al.: "Amending the Securities Exchange Act of 1934."

Title II.—Regarding the Domestic and Foreign Investment Improved Disclosure Act.—Expands the disclosure requirements of beneficial owners of more than 5 percent of specified kinds of securities to include disclosure of: (1) the background, identity, residence, and

citizenship of, and the nature of the beneficial ownership of, the person acquiring the securities and all other persons by whom or on behalf the purchases have been or are to be affected; (2) the source and amount of the funds or other consideration used or to be used in making the purchases; and (3) information as to any contracts, arrangements, or understandings with respect to any securities of the issuer.

- **Public Law 95–216** (Dec. 20, 1977) Mr. Ullman: "Social Security Amendments."

Title IV.—Authorizes States to have access to earnings information in records maintained by the Administration and State employment security agencies. Authorizes the Secretary of Health, Education, and Welfare to establish safeguards against improper disclosure of such information. Requires the States, beginning in 1979, to request and use such information.

- **Public Law 95–320** (July 21, 1978) Mr. Rosenthal: "Federal Banking Agency Audit Act."

Sets forth prohibitions on the public disclosure of certain information and imposes a fine of up to $5,000 and/or 1 year imprisonment for disclosure of information from a bank examination report by a General Accounting Officer auditor.

- **Public Law 95–396** (Sept. 30, 1978) Mr. Leahy (by request): "Federal Pesticide Act."

Revises the trade secrets provision of such act to require disclosure of information relating to tests and testing methodology concerning the effects of pesticides on the environment. Authorizes the Administrator of the Environmental Protection Agency to disclose otherwise confidential information to contractors with the Government if such disclosure is necessary in order to assure satisfactory performance of work by the contractor in connection with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Establishes penalties for willful disclosure of FIFRA protected trade secrets to unauthorized persons by Government employees.

- **Public Law 95–405** (Sept. 30, 1978) Mr. Huddleston, et al.: "Futures Trading Act."

Prohibits the Commodity Futures Trading Commission from making public disclosure of any data or information which would separately disclose the market positions, business transactions, trade secrets or names of customers not previously disclosed publicly in a judicial or congressional proceeding, or in an administrative proceeding pursuant to the Commodity Exchange Act, as amended.

- **Public Law 95–452** (Oct. 12, 1978) Mr. Fountain, et al.: "Inspector General Act."

Authorizes the Inspector General to receive and investigate complaints from the agency employees concerning possible violations of law, rules, or regulations, mismanagement, gross waste of funds, abuse of authority, or a specific and substantial danger to the public health and safety. Prohibits the disclosure of the identity, and reprisals by supervisors, of such employees.

- **Public Law 95–454** (Oct. 13, 1978) Mr. Ribicoff, et al.: "Civil Service Reform Act."

Title II.—Requires the Merit System Protection Board to submit an annual report to the President and the Congress. Provides for disclosure of information to the Congress or any committee or subcommittee of the Congress without review, clearance, or approval by any other administrative authority.

- **Public Law 95–488** (Oct. 20, 1978) Mr. Duncan of Tennessee "Amendments to the Internal Revenue Code of 1954."

Opens to public inspection the exemption application and tax returns of a black lung disability trust. Prohibits the disclosure of confidential business information of contributors to a black lung trust.

- **Public Law 95–511** (Oct. 25, 1978) Mr. Kennedy, et al.: "Foreign Intelligence Surveillance Act."

Title I.—Requires each application for any order approving electronic surveillance for foreign intelligence purposes to be approved by the Attorney General and to include among other information a statement of procedures to be taken to minimize intrusion into the privacy of United States persons. Prohibits the use or disclosure of any information concerning any United States person acquired from a disapproved emergency surveillance in any manner by Federal officers of employees without the consent of such person. Allows the Government to use such information to protect the life or the physical safety of a person, upon the approval of the Attorney General. Allows information acquired from electronic surveillance conducted pursuant to this act to be used and disclosed only for designated purposes for the enforcement of the criminal law.

- **Public Law 95–521** (Oct. 26, 1978) Mr. Ribicoff, et al.: "Ethics in Government Act."

Title I.—Requires each Member of Congress, each congressional officer, and employee who is compensated at a rate equal to or more than the pay rate for grade GS–16, and any candidate for the office of Member to file an annual financial disclosure report containing specified information including: (1) sources and amounts of income, gifts, and reimbursements; (2) the identity and approximate value of property held and liabilities owed; (3) transactions in property, commodities, and securities; and (4) certain financial interests of a spouse or dependent. Prohibits the use of information from such reports for commercial, credit, or solicitation purposes, or for any unlawful purpose.

Title II.—Requires the President, Vice President, each Presidential or Vice Presidential candidate, each military officer rated at 0–7 or higher, each Presidential appointee whose Senate confirmation is pending, and each employee of the executive branch who is compensated at a pay rate equal to or greater than that for grade 16 to file such report as described in title I of this act which shall include additional information regarding positions held with business entities, and agreements with respect to future employment and continuation of payments by former employers. Prohibits the use of information from such reports as described in title I. Requires that the Comptroller General have access to executive personnel financial disclosure reports in order to carry out statutory responsibilities.

Title III.—Requires the Chief Justice and the Associate Justices of the Supreme Court, each Federal Court Judge, Judges of the Courts

of the District of Columbia, any Presidential nominee for judicial office whose Senate confirmation is pending, and each judicial employee who is compensated at a pay rate equal to or greater than that for Grade GS–16 to file such report as described in title II. Prohibits the use of information from such reports as described in title I.

- **Public Law 95–540** (Oct. 28, 1978) Mrs. Holtzman, et. al.: "Privacy Protection for Rape Victims Act."

Amends the Federal rules of evidence to prohibit in cases of rape or assault with intent to rape the introduction of reputation or opinion evidence of a person's past sexual behavior. Permits the introduction of evidence of specific instances of a person's past sexual behavior only if such evidence is offered by the accused and is either: (1) on the issue of whether the accused was the source of pregnancy, disease, semen, or injury; (2) on the issue of whether the alleged victim consented to the sexual behavior with respect to which the crime is alleged, and is restricted to the victim's past sexual relations with the defendant; or (3) constitutionally required to to be admitted. Requires an accused who intends to introduce any such evidence to make a written motion to the court to hold a hearing on any such motion in chambers to determine admissibility.

- **Public Law 95–577** (Oct. 31, 1978) Mr. Proxmire: "Housing and Community Development Amendments."

Title VI.—Establishes the National Neighborhood Reinvestment Corporation and requires the Corporation, in making grants, to determine reporting and management restrictions or requirements for recipients and to assure that recipients make information necessary to determine compliance with Federal laws available to the Corporation.

Title IX.—Revises certain disclosure requirements applicable to the sale of real estate under the Interstate and Land Sales Full Disclosure Act.

- **Public Law 95–590** "Solar Photovoltaic Energy Research, Development, and Demonstration Act"—See section II.
- **Public Law 95–591** "Presidential Records Act"—See section V.
- **Public Law 95–595** (Nov. 4, 1979) Mr. Dent, et al.: Amending the Budget and Accounting Procedures Act of 1950."

Declares that the purpose of this act is to protect the interests of the Nation and of participants and their beneficiaries in Federal Government pension plans and certain other pension plans by requiring full disclosure of the financial conditions of such plans.

- **Public Law 95–604** "Uranium Mill Trailings Radiation Control Act"—See section II.
- **Public Law 95–622** (Nov. 9, 1978) Mr. Kennedy, et al.: "Extending the Assistance Programs for Community Mental Health Centers and for Biomedical Research."

Title IV.—Requires the President's Commission for the Protection of Human Subjects of Biomedical and Behavioral Research to secure and maintain as confidential any information and personnel data collected pursuant to this Title. States that such personnel data may not be disclosed to any person other than the individual who is the subject of the data.

• **Public Law 95–630** (Nov. 10, 1978) Mr. St Germain, et al.: "Financial Institutions Regulatory and Interest Rate Control Act."

Title XI.—Relating to the right of financial privacy.—Prohibits any Government authority from obtaining copies of access to, or the information contained in, the financial records of any customer from a financial institution unless such records are reasonably described and: (1) such customer has authorized such disclosure in accordance with this Act; (2) such records are disclosed in response to an administrative subpena or summons; (3) such records are disclosed in response to a court order; (4) such records are disclosed in response to a judiciai subpena; or (5) such financial records are disclosed in response to a formal written request meeting specified requirements. Requires in all cases that the customer be notified of the agency seeking such records, the purpose for which the records are sought, and the rights of customers under this act.

States that no financial institution may provide to a Government authority copies of or the information contained in the financial records of any customer except in accordance with the requirements of this act. Sets forth provisions governing customer authorization administrative subpenas and summons, judicial, subpenas, and search warrants. Establishes procedures for a customer to challenge the disclosure of financial records. Provides exceptions to the provisions of the act and special procedures for the disclosure of records to the Secret Service and government authorities acting in the field of foreign intelligence. Establishes civil penalties and the right to injunctive relief without regard to the amount in controversy for violation of the provisions of this title.

VIII. OTHER RELATED INFORMATION LEGISLATION

• **Public Law 95–630** (Nov. 10, 1978) Mr. St Germain, et al.: "Financial Institutions Regulatory and Interest Rate Control Act"

Title XX—referred to as the Electronic Fund Transfer Act.—Prohibits any financial institution from engaging in any transaction with a customer by means of an electronic terminal without first clearly disclosing to the customer all terms and conditions governing such transfer. States that such disclosure shall include: the consumer's liability for unauthorized electronic fund transfers (EFT); the types of transfers the consumer may make; any applicable charges; the consumer's right to reserve a transfer; the financial institution's liability for improper transfer; the telephone number and address of the person to be notified in the event an unauthorized EFT occurs; the circumstances in which the financial institution will disclose information concerning the customer's account to third persons; and the consumer's right to receive electronic fund transfer receipts and account statements. Requires a financial institution to give the customer 21 days prior to changing any of the terms of the agreement.

States that the consumer must receive a receipt for each transfer affecting the consumer's account at the time of the transfer. Requires financial institutions to provide consumers with a periodic statement for each EFT account. States that receipts and statements required by this Act are to constitute prima facie proof of an EFT payment to a third party.

Allows the making of preauthorized transfers only by written authorization from the consumer which shall be revocable at will at any time up to three business days preceding the scheduled transfer.

Sets forth a procedure for the resolution of errors which calls for prompt investigation of errors and reply to the consumer. Makes a financial institution liable to a consumer for treble damages if a court finds that such institution: (1) did not make a good faith investigation of an alleged error; or (2) reported to a consumer that his account was correct when such a conclusion could not reasonably be drawn.

Limits a consumer's liability (in the event of an unauthorized cash transfer) to the lesser of $50 or the amount of money obtained. Increases the consumer's liability limit to $500 if there is a failure to notify the financial institution as set forth in this Act. Holds a financial institution liable to a consumer for any failure to make a transfer when properly instructed and for the failure to reverse a transfer. Makes exceptions to such rule in the case of an improper or incorrect transfer if the error was caused by a technical malfunction beyond the control of the institution.

Permits a financial institution to issue EFT debit cards or account access codes only in response to an application or in renewal of an existing accepted card. Suspends the consumer's obligation to make payment when a technical malfunction prevents the transfer of funds to a third party who has agreed to accept payment by means of an EFT. Prohibits the conditioning of employment, government benefits, or the extension of credit on the consumer's use of EFT's. Restricts the disclosure of information regarding EFT's.

States that any person who willfully and knowingly gives false or inaccurate information, fails to provide information which is required to be disclosed, or otherwise fails to comply with any provision of this Title shall be fined not more than $5,000 or imprisoned not more than one year, or both. Places the enforcement of this Title in the case of national banks, Federal Reserve member banks, insured banks, Federal savings and loan associations, and Federal credit unions with their respective regulatory agencies. Directs the Federal Trade Commission to enforce the requirements of this Title in all other cases.

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